IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO. 17482 OF 2005
AND
CRL. PETITION NO. 3654 OF 2005

Dated : JANUARY 22, 2007

Between:

B. Lakshmi Bai

Petitioner

AND

The Station House Officer,
Saifabad Police Station,
Hyderabad and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO. 17482 OF 2005
AND
CRL. PETITION NO. 3654 OF 2005

ORAL ORDER: **(per THE HON'BLE SRI JUSTICE D.S.R.VARMA)**

Heard both sides.

It is submitted that, initially, the petitioner had sent a letter, dated 28.07.2005, which was taken up as Writ Petition in W.P.No.17482 of 2005, alleging that she was being harassed on account of her caste and in spite of the complaint made to the police to initiate action for the offence punishable under Sec. 3 (i) (x) (xi) and (xii) of the S.C. & S.T. (Prevention of Atrocities) Act, 1989, the police did not take any action.

2. It is further submitted that subsequently, charge sheet had been filed, trial had been conducted and eventually an order of acquittal came to be passed by the trial Court.

3. It is on record that a Division Bench of this Court, to which one of us (Justice P.Lakshmana Reddy) was a party, by order, dated 27.11.2006, dismissed the Criminal Petition No.3655 of 2005, as infructuous, filed under Sec. 439(2) Cr. P.C. to cancel the bail granted to Mr. P. Prabhakar Rao – 9th respondent in the present writ petition, in view of the fact that the trial of the Sessions Case had concluded.

4. At this stage, it is submitted that the facts in the said Criminal Petition No.3655 of 2005 and the present Criminal Petition are one and the same.

5. Having regard to the fact that there was a logical end of the Sessions Case registered against the petitioner

for the offences punishable under Sec.3 (i) (x) (xi) and (xii) of the S.C. & S.T. (Prevention of Atrocities) Act, 1989, after full-fledged trial and in the light of the order, 27.11.2006, passed by a Division Bench of this Court, in Criminal Petition No.3655 of 2005, the present Criminal Petition No.3654 of 2005 and W.P.No.17482 of 2005 are liable to be dismissed, on the same analogy.

6. Accordingly, the present Criminal Petition No.3654 of 2005 and W.P.No.17482 of 2005 are dismissed. However, there shall be no order as to costs.

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D.S.R.Varma, J.

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P.Lakshmana Reddy, J.

January 22, 2007
MAS